AMENDED

TEMPORARY Application No. 78450T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 07 2009

Returned to applicant for correction MAY 18 2009

Corrected application filed JUN 09 2009 Map filed JUN 09 2009

The applicant City of West Wendover, Nevada; City of Wendover, Utah

P.O. Box 2825 (Street Address or P.O. Box) of West Wendover (City or Town)

Nevada 89883 (State and Zip Code), hereby make(s) application for permission to change the

☒ Point of diversion ☐ Place of use ☐ Manner of use ☐ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 47617

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 2.0 second feet or 1445 acre-feet (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Municipal (Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.)
4. The water heretofore used for Municipal (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
   NE1/4 NE1/4 Section 11, T35N, R67E, MDB&M, or at a point from which the Northeast Corner of said Section 11 bears North 46 degrees - 20' - 50" East a distance of 237.70 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   Lot 11 (NW1/4 NW1/4) Section 6, T35N, R67E, MDB&M, at a point from which the E1/4 corner of said Section 6 bears South 63 degrees - 47' East a distance of 5568 feet.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Sections 7, 8, 9, 10, 15, 16, 17, & 18, T33N, R70E, MDB&M and Sections 17, 18, 19 & 20, T1S, R19W, SLB&M.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
Sections 7, 8, 9, 10, 15, 16, 17, & 18, T33N, R70E, MDB&M and Sections 17, 18, 19 & 20, T1S, R19W, SLB&M.

9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)
(See attachment)

12. Estimated cost of works $650,000

13. Estimated time required to construct works 2 years
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)
(See attachment)

2009 JUN -9 AM 10:06
STATE ENGINEER'S OFFICE

16. Miscellaneous remarks:

775-664-3081
Phone No.

cmelville@westwendoverca.com
E-mail

By Chris J. Melville
Print or type name clearly

Signature, applicant or agent

City of West Wendover
Company Name

P.O. Box 2825
Street Address or P.O. Box

West Wendover, NV 89883
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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City of West Wendover, Nevada; City of Wendover, Utah
Temporary Change Point of Diversion
(Attachment)

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which the water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

A drilled, cased, and gravel packed well, approximately 965 feet deep, equipped with proper seals, motor, pump, totalizing flow meter, pipelines, and distribution system.

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

The project is to construct a new well to serve as an alternative source of water to offset potential changes to the quantity and/or quality of Big Spring/Johnson Spring (also used by the applicant under Permit 28527, Certificate 12918). Of particular concern are permitted mineral-exploration activities in the Pequop Mountains in the vicinity of Big Spring and directly above a portion of its likely source area. The proposed new well is expected to be approximately 965 feet deep with a 16-inch casing diameter. It is proposed to connect this well to our existing transmission pipeline in the Shafter well field.

The existing Permit 47617 is attached to a test well that remains in place as a monitoring well. If this change application is approved, the applicant will apply for a waiver to maintain the existing well as a monitoring well only. The applicant desires to change the point of diversion for Permit 47617 to a groundwater well site that has been deemed suitable to at least replace the flow of Big Spring/Johnson Spring (1 cfs) should the spring flow and/or water quality be compromised during mineral exploration activities and potential future extraction operations.

The present population of 6,860 represents 3,085 Equivalent Residential Connections (ERC) with a total average day demand of 1,050 gallons per minute (gpm) or 1,694 acre-feet per year (af/yr). Using a peaking factor of 2, the present peak day demand is calculated to be 2,100 gpm. Using the projected population of 22,938 in the year 2056, which represents approximately 11,185 ERC, the average day demand would be 3,806 gpm or 6,140 af/yr with a peak day demand of 7,612 gpm.